



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/191,291 11/13/98 WINGARD 02998.P003

EXAMINER

ETIENNE, A

ART UNIT	PAPER NUMBER
----------	--------------

2781

DATE MAILED:

03/21/00

BARBARA BOKANOV COURTNEY
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES CA 90025-1026

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/191,291

Applicant(s)
Wingard et al

Examiner
Arlo Etienne

Group Art Unit
2781



☒ Responsive to communication(s) filed on Nov 13, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-28 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-6 and 10-28 is/are rejected.

☒ Claim(s) 7-9 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2781

DETAILED ACTION

1. This is a first office action in response to application filed, with the above serial number, on November 13, 1998 in which claims 1-28 are presented for examination. Claims 1-28 are therefore presented for examination.

Information Disclosure Statement

2. The Information Disclosure Statement received on 1/16/98 (paper No. 2) has been considered. See attached PTO Form 1449.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Specification

4. The abstract of the disclosure is objected to because of the following:
It is suggested that “. **One embodiment**”, in line 1, be deleted.

Claim Objections

5. Claim 1 is objected to because of the following informalities:
In line 2, substitute “an” with --a--. Appropriate correction is required.

Art Unit: 2781

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 10-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 10 recites the limitation "the plurality of functional blocks" in line 6. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 13 recites the limitation "the transfer "X"" in lines 3, 4, and 5. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2781

11. Claims 1-6 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barth et al (Barth, 5,748,914) in view of Timbs (5,878,045).

As per claim 1, Barth substantially discloses a communication system comprising at least two functional blocks wherein one of the functional block communicates with the other by establishing a connection and a bus which couples the two functional blocks and configured to carry a plurality of signals (see Fig. 20A or 20B, col. 2, lines 40-60 and col. 19, lines 32-39). Barth fails to disclose the plurality of signals to comprise a connection identifier. However, Timbs discloses a communication system in which data transmission signals comprise a data link connection identifier (see col. 14, lines 10-20). Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Barth and Timbs to arrive at the claimed invention, by incorporating Timbs' teaching of a data link connection identifier into the communication system of Barth, because this would result in improving data transfer accuracy and reliability (data transfer efficiency) in Barth's system by allowing for the identification of the connection in relation with the data to be transferred.

As per claim 2, the combined teachings of Barth and Timbs (the combination) fail to explicitly account for a thread identifier that indicate a transaction stream that the data transfer is part of but, however, broadly disclose identifying the source of the data stream (see passage above). Since the combination teaches identifying the data link connection and at least broadly discloses identifying the source of data stream, one of ordinary skill in the art would be motivated

Art Unit: 2781

to include as part of signals to be transmitted a thread identifier because this would further enhance the efficiency of data communication/transmission in the system.

As per claims 3-5, the recited limitations are implicit to the system taught by the combination.

As per claim 6, the information included in the connection identifier (priority, order and origin) correspond to information generally found in a cell (packet) header (see fig. 6 of Timbs, e.g.).

As per claims 10-13, Barth substantially discloses a method for communicating between functional blocks in a computer system wherein one of the functional block communicates with the other by establishing a connection which can be defined as a logical state in which data may pass between an initiator functional block and a target functional block of the functional blocks and wherein a connection is established when a particular data transfer is initiated (see Fig. 20A or 20B, col. 2, lines 40-60 and col. 19, lines 32-39). Barth fails to disclose establishing a plurality of connection identifiers, wherein each connection identifier associates a particular data transfer with a particular connection. However, Timbs discloses a communication system in which data transmission signals comprise data link connection identifiers which associates a particular data transfer with a particular connection (see col. 14, lines 10-20). Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to combine the teachings of Barth and Timbs to arrive at the claimed invention, by incorporating in Barth's communication method Timbs' teaching of associating data link connection identifiers with data transfers because

Art Unit: 2781

this would result in improving data transfer accuracy and reliability (data transfer efficiency) in Barth's communication method by allowing for the identification of the connection in relation with the data to be transferred. As per the limitation "of allowing an initiator to issue a first transfer if the transfer is an oldest, non-retired, non-issued transfer among a set of transfer requests with a same connection identifier" official notice is taken that both the concept and associated advantages/disadvantages for doing so are well known in the art as one skilled in the art at the time the invention was made would have found to allow an initiator to issue an oldest, non-retired, non-issued transfer since this would create fair arbitration/transfer system wherein every requests/transfer will be given a chance to be performed regardless of the priorities (high or low).

Allowable Subject Matter

12. Claims 7-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. Claims 14-28 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Art Unit: 2781

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Martinsson is cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ario Etienne whose telephone number is (703) 308-7562. The examiner can normally be reached on Mondays-Thursdays from 7:30AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh, can be reached on (703) 305-9648 or at e-mail address ayza.sheikh@uspto.gov. The fax phone number for this Group is (703) 305-3718.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


A.E.

March 17, 2000

Application/Control Number: 09/191,291

Page 8

Art Unit: 2781



ARIO ETIENNE
PATENT EXAMINER